Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

1. (currently amended) A method for processing customer requests ~~determining~~ for spare capacity ~~for~~ in a video and data network from a network element database comprising:

receiving a customer inquiry for a request for spare capacity in the video and data network ~~for~~ from a customer requesting a service for the video and data network, wherein the request comprises a service area identifier corresponding to the customer;

identifying equipment to check for spare capacity from the service area identifier, wherein the equipment identified is used to provide the service to the customer on the video and data network;

determining if the identified equipment has spare data and video capacity using real-time information for the identified equipment in the network element inventory; ~~and~~

if the equipment has spare data and video capacity, calculating spare video and data capacity for the equipment, wherein the spare video and data capacity is used to provide the service to the customer, if desired; and

providing an answer for the request for spare capacity while being connected to the customer during the customer inquiry, the answer based on the spare video and data capacity calculation.

2. (previously presented) The method of claim 1, wherein the video and data network comprises a Digital Subscriber Line (xDSL) network.

3. (previously presented) The method of claim 1, wherein the video and data network comprises a Very high data rate DSL (VDSL) network.

4. (previously presented) The method of claim 1, wherein calculating spare video/data capacity for the equipment comprises calculating a number of video and data ports available minus a number of video and data ports in use.

5. (previously presented) The method of claim 4, further comprising determining possible capacity for the equipment.

6. (previously presented) The method of claim 5, wherein possible capacity comprises possible video/data ports.

7. (previously presented) The method of claim 6, wherein calculating spare video/data capacity for the equipment comprises adding the possible video/data ports to the spare video/data capacity calculation.

8. (previously presented) The method of claim 7, further comprising determining a number of defective video/data ports.

9. (previously presented) The method of claim 8, wherein calculating spare video and data capacity for the equipment comprises subtracting the number of defective video/data ports from the spare video/data capacity calculation.

10. (previously presented) The method of claim 4, further comprising determining a number of held and pending video service orders for the service area identifier.

11. (previously presented) The method of claim 10, wherein calculating spare video and data capacity for the equipment comprises subtracting the number of held and pending video service orders from the spare video/data capacity calculation.

12. (previously presented) The method of claim 1, wherein checking the network element database to determine if the identified equipment has spare data and video capacity comprises checking if the identified equipment has spare physical video/data capacity.

13. (previously presented) The method of claim 1, wherein checking the network element database to determine if the identified equipment has spare data and video capacity comprises checking if the identified equipment has spare physical video/data capacity.

14. (currently amended) The method of claim 4, further comprising determining a number of data only ~~slots~~sports.

15. (currently amended) The method of claim 14, wherein calculating spare video and data capacity for the equipment comprises returning the number of data only ~~slots~~ ports in the spare capacity calculation.

16. (previously presented) The method of claim 1, further comprising checking the network element database to determine if the identified equipment telephony usage is at a maximum.

17. (currently amended) A method for processing customer requests for services on a video and data network, the method comprising:

receiving a customer inquiry for a request from a customer for a service on the video and data network;

determining a service area identifier for the customer;

~~receiving a request for spare capacity in the video and data network, wherein the request comprises the service area identifier for the customer;~~

identifying equipment to check for spare capacity from the service area identifier, wherein the equipment identified is used to provide the service to the customer on the video and data network;

determining if the identified equipment has spare data and video capacity using real-time information for the identified equipment in the network element inventory; and

if the equipment has spare data and video capacity, calculating spare video and data capacity for the equipment;

~~determining~~ providing an answer for~~if~~ the request for service while being connected to the customer during the customer inquiry ~~should be processed~~ based on the calculated spare video and data capacity for the equipment.

18. (currently amended) The method of claim 17, ~~further comprising~~wherein the answer comprises denying the request for service when no spare video and data capacity exists.

19. (currently amended) The method of claim 17, ~~further comprising~~wherein the answer comprises denying the request for service when spare video and data capacity exists but the capacity is not sufficient to offer the service to the customer.

20. (currently amended) The method of claim 17, ~~further comprising~~wherein the answer comprises approving the request for service when spare video and data capacity exists.

21. (currently amended) An apparatus for processing customer requests ~~determining~~ for spare capacity ~~for~~ in a video and data network from a network element database, the apparatus comprising logic configured to perform a set of steps comprising:

receiving a customer inquiry for a request for spare capacity in the video and data network ~~for~~ from a customer requesting a service for the video and data network, wherein the request comprises a service area identifier corresponding to the customer;

identifying equipment to check for spare capacity from the service area identifier, wherein the equipment identified is used to provide the service to the customer on the video and data network;

determining if the identified equipment has spare data and video capacity using real-time information for the identified equipment in the network element inventory; ~~and~~

if the equipment has spare data and video capacity, calculating spare video and data capacity for the equipment, wherein the spare video and data capacity is used to provide the service to the customer, if desired; and

providing an answer for the request for spare capacity while being connected to the customer during the customer inquiry, the answer based on the spare video and data capacity calculation.

22. (previously presented) The apparatus of claim 21, wherein the video and data network comprises a Digital Subscriber Line (xDSL) network.

23. (previously presented) The apparatus of claim 21, wherein the video and data network comprises a Very high bit rate DSL (VDSL) network.

24. (previously presented) The apparatus of claim 21, wherein calculating spare video/data capacity for the equipment comprises calculating a number of video and data ports available minus a number of video and data ports in use.

25. (previously presented) The apparatus of claim 24, further comprising determining possible capacity for the equipment.

26. (previously presented) The apparatus of claim 25, wherein possible capacity comprises possible video/data ports.

27. (previously presented) The apparatus of claim 26, wherein calculating spare video/data capacity for the equipment comprises adding the possible video/data ports to the spare video/data capacity calculation.

28. (previously presented) The apparatus of claim 27, further comprising determining a number of defective video/data ports.

29. (previously presented) The apparatus of claim 28, wherein calculating spare video and data capacity for the equipment comprises subtracting the number of defective video/data ports from the spare video/data capacity calculation.

30. (previously presented) The apparatus of claim 24, further comprising determining a number of held and pending video service orders for the service area identifier.

31. (previously presented) The apparatus of claim 30, wherein calculating spare video and data capacity for the equipment comprises subtracting the number of held and pending video service orders from the spare video/data capacity calculation.

32. (previously presented) The apparatus of claim 21, wherein checking the network element database to determine if the identified equipment has spare data and video capacity comprises checking if the identified equipment has spare virtual video/data capacity.

33. (previously presented) The apparatus of claim 21, wherein checking the network element database to determine if the identified equipment has spare data and video capacity comprises checking if the identified equipment has spare physical video/data capacity.

34. (previously presented) The apparatus of claim 24, further comprising determining a number of data only slots.

35. (previously presented) The apparatus of claim 34, wherein calculating spare video and data capacity for the equipment comprises returning the number of data only slots in the spare capacity calculation.

36. (previously presented) The apparatus of claim 21, further comprising checking the network element database to determine if the identified equipment telephony usage is at a maximum.